



## **AGENDA OF THE CITY COUNCIL AND THE COUNCIL SITTING AS THE REDEVELOPMENT AGENCY**

**WEDNESDAY, APRIL 14<sup>TH</sup>, 2004**

The regular meeting of the City council, also sitting as the Redevelopment Agency, was called to order by Mayor/Chairman Stettler in the Council Chambers at 68-700 Avenida Lalo Guerrero, Cathedral City, California, on April 14, 2004 at 3:02 p.m.

### **ROLL CALL:**

Present: Council Member/RDA Board Member DeRosa, Marchand  
Mayor Pro Tem/RDA Board Member Pettis  
Mayor/RDA Chairman Stettler

Absent: Council Member/RDA Board Member England

Mayor Pro Tem/RDA Board Member Pettis moved to excuse Council Member/RDA Board Member England, motion seconded by Council Member/RDA Board Member Marchand, motion passed 4-0.

Council Member Marchand moved to go into Closed Session, motion seconded by Council Member DeRosa, motion carried 4-0.

Council returned from the Closed Session at 3:56 and Deputy City Attorney Green advised that there were no reportable items out of Closed Session.

Council Member/RDA Board Member England arrived at 4:13 p.m.

The Regular meeting began at 6:42 p.m. and was opened by Mayor/Chairman Stettler. Council Member/RDA Board Member England led the invocation, followed by the The Flag Salute led by Mayor Pro Tem/RDA Board Member Pettis.

### **CLOSED SESSION AGENDA:**

1. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION  
pursuant to Government Code Section 54956.9, Subd. (b)  
Number of Potential Cases: 2
2. CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government  
Code Section 54957.6

Agency Negotiator: Donald Bradley, City Manager  
Represented Employees: 1) Cathedral City Firefighters Association (CCFFA); 2) Cathedral City Police Officers' Association (CCPOA); and 3) Cathedral City Public Safety Management Association (CCPSMA);

3. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9, Subd. (k):  
Case Name: Glenn Haas, Jeff Miller, Brian Hirzel and Cathedral City Police Officers Association vs. Cathedral City; Cathedral City Police Department; Stan Henry, Chief of Police; John Holcomb, Captain; Gregory J. Savelli, Lieutenant; Sandra Hatfield, Dispatch Supervisor, et al.  
Case No.: United States District Court, Central District of California  
Case No. EDCV 02-965
4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Paul Shillcock**)  
Property Location: Northwest of Perez Road, North of East Palm Canyon Drive in the Cathedral City Auto Center  
APN# 687-040-040  
Negotiating Parties: Redevelopment Agency and Robertas Limited Partnership  
Property Owner: Robertas Limited Partnership  
Under Negotiation: Disposition of property
5. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Paul Shillcock**)  
Property Location: North of East Palm Canyon Drive, East of Bankside Drive, South of Commercial Road, West of Melrose Drive  
APN# 687-082-001, 006, and 007, and 687-313-001  
Negotiating Parties: Redevelopment Agency and Development Management Group, Inc.  
Property Owner: Wayne Merritt and Jack McBride  
Under Negotiation: Disposition of property
6. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Keith Scott**)  
Property Location: 68307 East Palm Canyon Drive-Heilig Meyers Building  
Negotiating Parties: Redevelopment Agency and Desert Hockey Association  
Property Owner: Redevelopment Agency

Under Negotiation: Disposition of property

7. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**James Cleary**)  
Property Location: East of Van Fleet, South of East Palm Canyon Drive, West of Date Palm Drive and North of B Street  
APN#s 687-207-005, 687-221-002, 687-222-004 and 687-223-016  
Negotiating Parties: Redevelopment Agency and BCN Developments, LLC  
Martin Sousa, Francine Dickson et.al., Boxing Club, Jorge and Maria Sanchez  
Under Negotiation: Disposition of property
8. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Keith Scott**)  
Property Location: South of East Palm Canyon Drive, West of the Perez Road extension, East of Canyon Plaza  
APN#s 687-030-010 and 074  
Negotiating Parties: Redevelopment Agency, Cathedral City Properties, LLC and O'Brien Hyundai  
Property Owner: Desert Hills Mobile Home Park  
Under Negotiation: Disposition of property
9. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**James Cleary**)  
Property Location: Ocotillo Road  
APN#s 680-393-002 and 680-393-003  
Negotiating Parties: Redevelopment Agency & Vaughn E. Jones and Clare Stratton  
Property Owners: Vaughn E. Jones and Clare Stratton  
Under Negotiation: Acquisition of Property
10. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Charlene Sumpter**)  
Property Location: South Side of East Palm Canyon Drive East of Buddy Rogers Drive and West of Van Fleet Avenue, North of North A Street and Parcels North of B Street  
Negotiating Parties: Redevelopment Agency & Tri-Millennium Development Cathedral City, LLC  
Property Owners: Redevelopment Agency  
Under Negotiation: Disposition of Property
11. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Charlene Sumpter**)  
Property Location: East of Cathedral Canyon, North of East Palm

Canyon, West of Buddy Rogers and South of N.  
Buddy Rogers, Otherwise Known as Building Pads D  
& E

Negotiating Parties: Redevelopment Agency & Tri-Millennium  
Development Cathedral City, LLC  
Property Owners: Redevelopment Agency  
Under Negotiation: Disposition of Property

12. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to  
Government Code Section 54956.8. **(Keith Scott)**

Property Location: 68-752 Buddy Rogers  
APN# 687-180-005  
Negotiating Parties: Redevelopment Agency & John Wessman  
Redevelopment Agency & Don Ballard  
Redevelopment Agency and Tri-Millennium  
Development Cathedral City, LLC  
Property Owners: Redevelopment Agency  
Under Negotiation: Property negotiation

## **CLOSED SESSION ANNOUNCEMENTS**

Deputy City Attorney Green advised there were no announcements out of Closed Session, however, the City Council would be returning to closed Session to complete the agenda immediately following this meeting.

## **PUBLIC COMMENTS**

Bill Cohen – Cathedral City. Mr. Cohen wanted to report to the Council about the Retired and Senior Volunteer Program (RSVP). RSVP tracks the volunteer hours that their members donated to various activities in the Desert. Mr. Cohen presented the statistics for Cathedral City – how much money these volunteers saved our city. There were 149 volunteers who put in 12,170 volunteer hours, which reflects a savings for our city to the sum of \$209,202.00.

Greg Wetmore – Rancho Mirage. Mr. Wetmore is President/CEO of the Cathedral City Chamber of Commerce. Mr. Wetmore introduced Cid Castillo the new Partnership Developer for the Chamber. Also Mr. Wetmore advised that the monthly mixer would be tomorrow evening at the Red Tomato, that the May breakfast would be held on Wednesday May 5<sup>th</sup> at 7:00 a.m. at the Doral, and that the State of the City Luncheon will be at the Doral, Thursday June 3, and the cost remains at \$25.

Sharon Stevens – Cathedral City. Ms. Stevens spoke before the Council two weeks ago. She remains unhappy with her dealings with the Cathedral City Police Department

And feels they are violating her civil and constitutional rights. She feels she has no choice other than to file a civil rights lawsuit.

Dan Coover – Cathedral City. Mr. Coover is the Out Reach Director from the Senior Center and he announced a number of events. The center is planning a first Annual Community Clean up with a Rummage Sale on Saturday and Sunday June 5-6. He asked for donations from the Community.

Greg Wittmore – Director of Bands for Cathedral City High School. He told that of a successful tour that his Band recently traveled to San Francisco. The CCHS Bands are going to have a Silent Auction prior to the final band concert of the year. This will happen on May 27<sup>th</sup> from 5-7 p.m. and all are welcome.

Seeing no one else wishing to speak, Mayor Stettler closed Public Comments.

### **AGENDA FINALIZATION**

Council Member England moved approval to add item # 23 to tonight's agenda, motion seconded by Council Member DeRosa, motion carried 4-1, with Council Member Marchand voting in the negative.

### **COUNCIL COMMENTS**

Mayor Stettler announced the 9<sup>th</sup> Annual Dispatcher Awards Dinner taking place this evening, and of course they had to miss it due to this Council Meeting. On Wednesday the 31<sup>st</sup> of March he attend the Senior Inspiration Awards where local resident Helen Rogal was honored as the Senior from Cathedral City. Mayor Stettler announced the generosity of the Agua Calliene in their annual giving program. Various Cathedral City Programs, including but not limited to, the Senior Center and the Boxing Club shared in \$110,000 awards. He congratulated Mayor Pro Tem Pettis on his 2<sup>nd</sup> term to SCAG.

Council Member DeRosa was sorry they were missing the Public Dispatchers Program, however, the Dispatchers were receiving Certificates from the City Council. Her thanks to the Agua Calliente Indians for all that they do. Ms. DeRosa noted that she saw Joe Baca, a favorite teacher, in the audience. She spoke of the donation of \$1,000.000 from the Morongo Band of Indians to the American Red Cross during the fires last year, and the Red Cross was hosting an appreciation/thank you dinner for the Red Cross at the Doral on April 24<sup>th</sup>. Everyone was reminded that the Annual Dinner for the Boys & Girls Club is to be held on May 15<sup>th</sup>. A special thanks goes to Mayor Ron Oden and the Palm Springs City Council for reducing the rates for Cathedral City kids to use the Palm Springs Skate park.

### **MINUTES**

Council Member Marchand moved approval of the minutes from the regularly scheduled

City Council/RDA Board Meeting held on Wednesday, March 24<sup>th</sup>, 2004. Motion seconded by Council Member England, motion carried 5-0.

### **SCHOOL REPORTS**

There were no Student Reports due to the Senior Class traveling on Spring Break.

### **PRESENTATIONS AND PROCLAMATIONS**

The following Proclamations were presented by the Mayor and Members of the City Council to the following people and Organizations.

A Proclamation declaring April as Alcohol Awareness Month to Danny Leahy a representative from the ABC Recovery Center in Indio.

Proclamation honoring Nancy Alvarez, outgoing President Coachella Valley Mexican American Chamber of Commerce.

Proclamation declaring April 22 as "Earth Day" in Cathedral City to Karen Riley and a plaque to Deanna Pressgrove, Environmental Conservation Manager.

Proclamation declaring the week of April 18-24<sup>th</sup> as Cathedral City's Crime Victims Right Week to a representative of the Riverside County District Attorneys office.

Proclamation declaring April as Child Abuse Prevention Month to Clarice Blue Bell, a public Health Nurse from the County of Riverside.

There was a \$250 check presentation by Carrie McDonald, Mrs. Cathedral City to the Cathedral City Fire Department Battalion Chief Mike Hatfield and two firefighters, thanking them for their help at a Spaghetti Dinner.

### **CONSENT AGENDA**

Mayor Pro Tem/RDA Board Member Pettis moved acceptance of the Consent Agenda, motion seconded by Council Member/RDA Board Member DeRosa, motion carried 5-0.

1. Received and filed demands in the aggregate amount of \$4,638,806 for the month of March, 2004 **by Minute Order #3680 and Minute Order # R-985.**

2. Adopted proposed Ordinance of the City Council for the City of Cathedral City regarding increase in City Manager's spending authority and amending Chapter 2.12.270 "Exceptions to Competitive Bidding Requirement" of the Cathedral City

Municipal Code **by Ordinance No. 588.**

3. Adopted proposed Ordinance of the City Council for the City of Cathedral City, amending the Cathedral City Municipal Code to regulate the use of City, Police Department and Fire Department insignias **by Ordinance No. 589.**

4. Adopted proposed resolution of the City Council for the City of Cathedral City supporting for Senate Bill 1397-Locomotive Emissions Reduction and Mitigation Program **by Resolution No. 2004-16.**

5. Adopted proposed resolution of the City Council for the City of Cathedral City supporting Senate Bill (SB1404) authorizing the creation of Multi-Family Improvement Districts **by Resolution No. 2004-17.**

6. Adopted Proposed resolution of the City Council for the City of Cathedral City supporting Senate Bill (SB1179-Ducheny) on enterprise zone extension **by Resolution No. 2004-17.**

7. Approved the quarterly report from the Chamber of Commerce relative to fiscal year 03-04 Economic Development/Business Resource Program service provider agreement **by Minute Order # 3681.**

8. Approved the quarterly report from the Cathedral City Chamber of Commerce relative to the fiscal year 03-04 Community service provider agreement **by Minute Order # 3682.**

9. Approval of quarterly report from the Cathedral City Senior Center relative to the fiscal year 03-04 Community service provider agreement **by Minute Order # 3683.**

10. Approval of quarterly report from the Cathedral City Boys and Girls Club relative to the fiscal year 03-04 Community service provider agreement **by Minute Order # 3684.**

11. Approved a contract with Scott Fazekas & Associates, expanding his services to include Chief Building Official (CBO) duties **by Minute Order #3685**

## **PUBLIC HEARINGS**

Prior to conducting the following Public Hearing Council Member DeRosa moved to adopt **Resolution No. 2004-19** ordering Changes and Modifications (this is to approve revisions to the Engineer's report due to revised methods of assessment on some of the assessments), motion seconded by Council Member Marchand, motion carried 5-0..

12. Conduct a public hearing and tabulate ballots to determine if a majority of voting property owners wish to proceed with the formation of the proposed 35<sup>th</sup> Avenue Street

and Sewer District (AD 2003-01), confirming the assessment, ordering the work and acquisitions and directing actions with respect thereto

Mayor Stettler opened the Public Hearing asking if anyone had ballots that they wished to cast they should be given to the City Clerk. There were brief comments from the staff.

Mayor Stettler opened the floor to comments from the property owners in the proposed 35<sup>th</sup> Avenue Assessment District No. 2003-01Public.

Chuck Vasquez – Cathedral City Mr. Vasquez commented on the long efforts of this neighborhood to reach this point, and sincerely thanked the City Council and staff for all of their had work, cooperation and support.

Seeing no one else wishing to speak, Mayor Stettler again asked if anyone had ballots that they wished to cast they should be given to the City Clerk. Mayor then recessed this Public Hearing while the City Clerk and members of the Muni Financial team retired to the lobby to count the ballots. This hearing will continue after the ballots have been counted.

13. Request for authorization to execute a short-term lease with the Desert Hockey Association for the former Heilig-Meyers building on East Palm Canyon Drive. (

There was a report by Paul Shillcock, Economic Development Director about this proposal. The Proposal had gone before the Parks and Recreation Commission and their recommendation was to approve this project to provide entertainment opportunities for the City residents with little cost to the City.

There was considerable input from the City Council, with concerns raised about restrooms, funding, negative press since this is only a temporary facility, possible for five months. The representatives from the Desert Hockey Association answered many questions about security, hours of operations, care of the facility, and especially their cooperation when they have to vacate the facility. There was also considerable input from the public, both positive and negative. The Desert Hockey Association representative repeatedly assured the Council that the Building would be vacated upon notice from the City and that they would leave the building in as good condition as it was prior to them occupying it. This will allow them time to find another location.

Council Member DeRosa moved approval of executing a short-term lease, motion seconded by Council Member Marchand, motion carried 5-0.

At this time Mayor Stettler reopened the Public Hearing, item 12. on the proposed 35<sup>th</sup> Avenue Assessment District and asked that the vote count be announced.

The City Clerk responded that the **Yes** vote was **\$1,704,170.99 or 58.8%**. The **No** Vote was **\$1,190,141.14 or 41.2%** and that the measure had passed.



Council Member DeRosa moved adoption of **Resolution No. 2004-20**, adopting the Engineer's report and confirming the assessment, ordering the work and acquisitions and directing actions with respect thereto, motion carried 5-0.

14. Resolution of necessity for acquiring and authorizing the acquisition of Assessor's parcel numbers 680-393-002 and 680-393-003 all vacant parcels for the purpose of public parkland, general located between Moreno Road and Via De Anza.

Mr. Cleary of the RAD advised that one item, Parcel number 680-393-003 was closed and didn't need to be voted on.

There were no questions from Council.

Public Hearing was opened and closed without comments.

Council Member/RDA member DeRosa moved approval, motion seconded by Council Member/RDA Board Member England. Mayor Stettler called for a roll call vote, and the response was DeRosa AYE, England AYE, Marchand AYE, Pettis AYE, and Stettler AYE. Motion carried 5-0 **by Minute Order 3687 and Resolution No. 2004-21.**

15. Municipal Code amendment 03-02: a request to adopt an inclusionary housing ordinance establishing procedures and requirements for the provision of affordable housing

There were no questions from Council.

Public Comments were opened and closed without comments.

It was moved by Council Member Marchand that this item be continued to May 28, 2004, motion seconded by Mayor Pro Tem Pettis, motion carried 5-0 **by Minute Order 3688.**

16. Tentative Parcel Map 32138: A request to subdivide a 22,456 square-foot parcel into 2 lots, located on the north side of Mission Court, at Laguna Place, in the R-1 (Single Family Residential) Zone.

There were no questions from Council.

Public Comments were opened and closed without comments

Mayor Pro Tem Pettis moved approval, motion seconded by Council Member Marchand, motion carried 5-0 **by Resolution No. 2004-22.**

17. Proposed resolution of the City Council for the City of Cathedral City and the City

Council sitting as the Redevelopment Agency Board, consenting to the exchange of a property acquired with affordable housing funds for an equivalent property, by and between the Redevelopment Agency and Otto Holta

There were no questions from Council.

Public Comments were opened and closed without comments

Council Member Marchand moved this item be continued to public hearing April 28, 2004, motion seconded by Council Member England, motion carried 5-0 **by Minute Order # 3689 and Minute Order # R-986.**

### **LEGISLATIVE ACTION(S)**

18. Approval of resolution of intention to initiate formation and authorize balloting for the proposed Dream Homes sewer assessment district (AD 2004-01).

There were no questions from Council.

Mayor Stettler opened the Public Hearing.

One resident came forward and spoke, saying that he had lived in the Dream Homes for 12 years and he had been waiting for this opportunity all that time, and he was pleased this was about to happen.

Seeing no one else wishing to speak Mayor Stettler closed the Public Hearing.

Council Member Marchand moved approval, motion seconded by Council Member England. Mayor Stettler called for a roll call vote. and the response was DeRosa AYE, England AYE, Marchand AYE, Pettis AYE, and Stettler AYE. Motion carried 5-0 **by Resolution NO. 2004-23.**

19 Parcel Map PM 32138: Filing and recordation of Parcel Map 32138 and signing of the Final Map by the Chairman and Secretary on behalf of the Redevelopment Agency.

There were no question by Council.

Public Hearing opened and closed without comment.

Council Member Marchand moved approval, motion seconded by Council Member England, motion carried 5-0 **by Minute Order # R-987.**

20. Approval of final Parcel Map 32138: located on Mission Court.

There were no questions by Council.

Public Hearing opened and closed without comments.

Council Member Marchand moved approval, motion seconded by Council Member England, motion carried 5-0 **by Minute Order # 3690.**

21. Approval of proposition 13 grant in the amount of \$2,809,000 for the design and construction of Phase I of the Sewer Project for the Cathedral City Cove Area, State Standard Agreement No. 03-114-557-0 between the City of Cathedral City and the State Water Resources Control Board, Division of Administrative Services, for the purpose of administering the grant, and approval of a resolution authorizing the Mayor to sign and execute State Standard Agreement No. 03-114-557-0.

There were no questions by Council.

Mayor Stettler opened the Public Hearing.

Nancy Alvarez – Cathedral City spoke positively with regard to this item. She is pleased.

Seeing no one else wishing to speak, Mayor Stettler closed Public Comments.

Council Member DeRosa moved approval, motion seconded by Council Member England, motion carried 5-0 **by Resolution No. 20024.**

22. Authorization to accept lowest qualified bid and to contract for construction of 10 sewer laterals for 8 homes and 2 duplexes along Shifting Sands Trail adjacent to Creekside Apartments

There were no questions by Council.

Public Comments were opened and closed without comment.

Council Member Marchand moved authorization, motion seconded by Council Member England, motion carried 5-0 **by Minute Order # 3691.**

23. Approval of a final tract map 27097: La Pasada Development on North side of Vista Chino, at Avenida Maravilla (Playa Del Sol Development Co., Inc. Subdivider.

There were no questions from Council.

Public Comments were opened and closed without comment.

Council Member Marchand moved approval, motion seconded by Council Member

England, motion carried 5-0 by **Minute Order # 3692.**

**COUNCIL REPORTS ON CITIZEN INQUIRIES AND CONCERNS.**

Council Member DeRosa had several letters, one from a resident on Sunny Lane about the Construction trucks that continue to travel on Sunny Lane. She has had an inquiry about a "night sky ordinance" and she is keeping one letter for next Council meeting since we do not have a video and sound system tonight.

**ADJOURNMENT**

Hearing no further business to come before City Council, Mayor Stettler adjourned the meeting to Closed Session at 9:20 p.m.

Mayor Stettler reopened the meeting at 10:28 p.m. Deputy City Attorney Green advised there were no reportable items out of Closed Session.

Council Member Marchand moved adjournment in memory of the U.S. and coalition forces who have given their lives in service to this country since the last City Council Meeting. Meeting adjourned at 10:30 p.m.

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Pat Hammers, City Clerk